

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DAVID LEE SMITH, #10445**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 1:10cv204-HSO-JMR**

**CONO ANTHONY CARANNA, et al.**

**DEFENDANTS**

**FINAL JUDGMENT**

This cause is before the Court, *sua sponte*, for consideration of dismissal.

Pursuant to the Memorandum Opinion and Order issued this date and incorporated herein by reference,

IT IS, HEREBY, ORDERED AND ADJUDGED that this cause be, and hereby is, dismissed with prejudice for failure to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and that said dismissal will count as a strike, pursuant to 28 U.S.C. § 1915(g).

SO ORDERED, this the 19<sup>th</sup> day of July, 2010.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE